

**PENNSYLVANIA SCHOOL-BASED ACCESS PROGRAM (SBAP) OCTOBER 2023 UPDATE
UPDATED GUIDANCE FROM THE CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS)**

Background:

On June 25, 2022, President Biden signed into law the Bipartisan Safer Communities Act (BSCA), which expands mental health services and provides additional support for States to design and enhance initiatives that will promote safer, more inclusive, and positive school environments for all students, educators, and school staff. The BSCA additionally required the Centers for Medicare and Medicaid Services (CMS) to provide states with critical tools and resources to implement, enhance, and expand school-based health programs under Medicaid, which would include guidance that may affect Pennsylvania's School-Based ACCESS Program (SBAP).

On May 18, 2023, CMS released a comprehensive guide for Medicaid school-based services, which outlines flexibilities states can adopt to expand services covered by Medicaid when provided in the educational setting, as well as certain requirements that all states will need to come into compliance with by 2026. The [Comprehensive Guide to Medicaid Services and Administrative Claiming](#) represents an important part of the Biden-Harris Administration's implementation of the BSCA.

What Is Happening Now:

DHS has reviewed its current guiding documents to identify areas which will need to be brought into compliance. With Pennsylvania's current Medicaid State Plan and Cost Allocation Plan, some changes are already being implemented, such as removing the ability to include vacancies on the Random Moment Time Study (RMTS) cost pool lists, removing the ability for LEAs to view exact times of upcoming random moments, and the naming conventions of who can be included on the cost pool lists for cost claiming.

What Will Happen in the Future:

DHS will continue to review the updated guidance to determine additional changes needed to bring Pennsylvania's SBAP into compliance with CMS's requirements.

Note: These changes may require updates to our CMS-approved Medicaid State Plan and/or our CMS-approved Cost Allocation Plan before they could become effective. This requires a review and approval process with CMS.

What *May* Happen in the Future:

CMS's updated guidance includes options for consideration such as different interim billing processes, additional service categories and qualified provider types, and expansion to cover services provided to MA-enrolled students outside of the Individualized Education Program (IEP). **These are optional changes that may affect each state differently. Pennsylvania is working to determine which of these changes would best fit the services that our educational agencies are providing.**

Note: These changes would require updates to our CMS-approved Medicaid State Plan and/or our CMS-approved Cost Allocation Plan before they could become effective. This requires a review and approval process with CMS.

**PENNSYLVANIA SCHOOL-BASED ACCESS PROGRAM (SBAP) OCTOBER 2023 UPDATE
UPDATED GUIDANCE FROM THE CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS)**

What Should My LEA Be Doing Now?

1. Continue to participate fully in the SBAP by logging and submitting direct services, participating in the RMTS, reporting and certifying quarterly and annual costs, and maintaining documentation.
2. Monitor your emails and DHS communications (such as the Quarterly Newsletters) for any additional upcoming changes.
3. Monitor your emails for opportunities to provide us with your feedback, interest and opinions in relation to the optional changes this guidance affords. DHS will be sending out a survey and further information on how to participate in focus groups and town hall meetings when more information is available.